

**Minutes - Board Meeting – 03/14/12**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, March 14, 2012 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

**PRESENT:** Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**ALSO PRESENT:** Village Attorney John Spellman  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Buildings Daniel B. Whalen

**Press Observers:** Rich Forestano, *Mineola American*  
Timothy Meyer, *Williston Times*

**Sunshine Observers:** Geoffrey Walter, *Patch.com*  
15 Observers

**Mayor Scott P. Strauss called the Public Hearing to order at 6:45 PM**

*A Public Hearing was held at 6:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**COMMUNITY DEVELOPMENT FUNDING 38<sup>TH</sup> YEAR ALLOCATIONS**

**\$125,000.00 – RESIDENTIAL REHABILITATION  
THROUGHOUT THE VILLAGE;  
\$ 75,000.00 - CODE ENFORCEMENT TO MONITOR ILLEGAL  
HOUSING  
\$300,000.00 – UPGRADE HANDICAP ACCESSIBILITY TO  
WILSON PARK BATHROOMS and REFRESHMENT AREA;  
\$ 24,000.00 - CONVERT EXISTING BATHROOM TO  
HANDICAP ACCESSIBLE-IRISH AMERICAN  
SOCIETY.**

*0 Speakers addressed the Board*

**Resolution No. 59-12**

Resolved to approve the Community Development 38<sup>th</sup> Year funding allocations as presented:

**Community Development Funding 37th Year Allocations:**

\$125,000.00 – Residential Rehabilitation throughout the Village.  
\$ 75,000.00 – Code Enforcement to monitor illegal housing.  
\$300,000.00 – Upgrade handicap accessibility to Wilson Park Bathrooms and Refreshment area.  
\$ 24,000.00 – Convert existing bathroom to handicap accessible-Irish American Society.

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul A. Pereira

Village Clerk Joseph R. Scalero polled the Board:

<b>Vote:</b>		
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Trustee Lawrence A. Werther		
Trustee Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Mayor Scott P. Strauss		

*A Public Hearing was held at 7:05 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF JTS & JBS CORP. FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTION 30.31**

**ENTITLED "B-1 DISTRICTS", SUBSECTION (B) ENTITLED "SPECIAL USES" AND SECTION 30.32 ENTITLED "B-2 DISTRICTS" FOR THE SALE OF FOOD (ICE CREAM AND ICES) UPON THE PROPERTY KNOWN AS 254 MINEOLA BOULEVARD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 406, LOTS 130-133.**

*0 Speakers addressed the Board*

**Resolution No. 60-12**

BOARD OF TRUSTEES

INCORPORATED VILLAGE OF MINEOLA

-----X  
In the Matter of the Application of

JTS & JBS CORP.

**DECISION**

For a Special Use Permit pursuant to Chapter 30, Section 30.31(B) and 30.32 of the Code of the Incorporated Village of Mineola, at premises known as 254 Mineola Boulevard, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 406, Lots 130-133.

-----X

NAME OF APPLICANTS:	JTS & JBS Corp.
SUBJECT PROPERTY:	Section 9, Block 406 Lots 130-133
STREET LOCATION:	254 Mineola Boulevard Mineola, New York 11501
ZONING DISTRICT:	Business "B-2" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 30, Section 30.31(B) and Section 30.32 for the sale of food (ice cream and ices) upon the property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	March 14, 2012
APPEARANCES:	John Sandler

**DECISION:**

JTS & JBS Corp. (hereinafter, "Applicant") is before this Board pursuant to Chapter 30, Section 30.31 and Section 30.32 of the Municipal Code of the Incorporated Village of Mineola for a special use permit for the sale of food (ice cream and ices) upon the property known as 254 Mineola Boulevard, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 406, Lots 130-133) (hereinafter, the "Property").

By Notice of Disapproval, dated January 24, 2012, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations in that the sale of food (ice cream and ices) upon the Property requires a special use permit. Applicant was thus required to seek relief before the Board of Trustees for a special use permit.

A referral of the application was made to the Nassau County Planning Commission on February 7, 2012. The Nassau County Planning Commission has recommended that this Board take whatever action it deems appropriate. Based upon the evidence adduced at the public hearing, and the documentation submitted to the Board in support of the application, the Board makes the following findings of fact:

- 1) Applicant is seeking a special use permit to sell food (ice cream and ices) upon the property known as 254 Mineola Boulevard, Mineola, New York;
- 2) The proposed use, subject to the conditions imposed by this Board, will provide a desirable service and convenience to the Village;

Based upon the above findings, it is hereby determined that the proposed use, subject to the conditions stated below, is harmonious to the "B-2" District, will conform to the general character of the neighborhood and that the public health, morals, safety and general welfare of such neighborhood will be secured by the granting of the requested Special Use Permit. Further, it is hereby determined that the Special Use Permit will provide a desirable facility to the area and will not be incongruous to the neighborhood by reason of excessive traffic.

**IT IS THEREFORE RESOLVED**, that the Special Use Permit is **GRANTED** subject to the following conditions:

- 1) The Applicant will not prepare or cook food upon the property;
- 2) All putrescible waste shall be refrigerated indoors until pick-up;
- 3) The Applicant will encourage patrons to avoid parking on Washington Avenue, a roadway to be kept clear for fire emergency vehicles;
- 4) The Applicant will maintain the sidewalk adjacent to the store free from litter;
- 5) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of them shall subject the applicant or its successors to enforcement pursuant to the Village's Municipal Code, including possible revocation of this special permit;
- 6) The representations made by Applicant on the record in this proceeding have been deemed material to this application and have been relied upon by the Board of Trustees in its deliberations and decisions. Said representations are deemed to be part of the conditions of this special permit; and
- 7) Violation of a condition set forth in this decision shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the premises to all penalties set forth in the Zoning Law.

Dated: Mineola, New York  
March 14, 2012

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul S. Cusato

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

Trustee Lawrence A. Werther  
Trustee Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham  
Mayor Scott P. Strauss

*Village Attorney John M. Spellman recommended the following resolution on the application of 7-Eleven, Inc.*

**Resolution No. 61-12**

**BOARD OF TRUSTEES**

INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

7-ELEVEN, INC.

**DECISION**

For a Special Use Permit pursuant to Chapter 30, Section 30.31(B) of the Code of the Incorporated Village of Mineola, at premises known as 400 East Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 601, Lot 18.

-----X

NAME OF APPLICANTS:	7-Eleven, Inc.
SUBJECT PROPERTY:	Section 9, Block 349, Lot 985
STREET LOCATION:	400 East Jericho Turnpike Mineola, New York 11501
ZONING DISTRICT:	B-1 District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 30, Section 30.31(B) for the sale of food (convenience store) upon the property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	October 12, 2011
APPEARANCES:	Alfred L. Amato, Esq.
IN SUPPORT:	Chris Tartaglia, High Point Engineering; Ginny Watral, VHB Engineering; Charles Olivo, Stonefield Engineering and Design; Michael Lynch, Real Estate Appraiser

7-Eleven, Inc. (hereinafter, "Applicant") is before this Board pursuant to Chapter 30, Section 30.31 of the Municipal Code of the Incorporated Village of Mineola for a special use permit for the sale of food (convenience store) upon the property known as 400 East Jericho Turnpike, Mineola, New York

(known and designated on the Nassau County Land and Tax Map as Section 9, Block 601, Lot 18) (hereinafter, the "Property").

The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations in that the sale of food (convenience store) upon the Property requires a special use permit. Applicant was thus required to seek relief before the Board of Trustees for a special use permit.

A referral of the application was made to the Nassau County Planning Commission on October 12, 2011. The Nassau County Planning Commission has recommended that this Board take whatever action it deems appropriate.

Chapter 30, Section 30.104 of the Municipal Code of the Incorporated Village of Mineola provides that the Board of Trustees, after notice and public hearing, may issue special use permits, after considering the following non-exclusive general standards:

1. The purpose of zoning, as set forth in the Village Law of the State of New York, and uses permitted in the District in which the property is located.
2. Whether the proposed use is of such character, size, location, design and site layout as to be appropriate to and in harmony with the surrounding properties.
3. Whether the proposed use will provide a desirable service, facility or convenience to the area or otherwise contribute to the proper growth and development of the community and to its general welfare.
4. Whether the proposed use will be hazardous, conflicting or incongruous to the immediate neighborhood by reason of excessive traffic, assembly of persons or vehicles or proximity to travel routes or congregations of children, pedestrians or others.
5. Whether the proposed use will be of such nature as to be objectionable to nearby residential dwellings by reason of noise, lights, vibration, odor, size, color or other factors of impact.
6. Whether the proposed use will be a harmonious use in the district in which it is to be situated and to hinder or discourage the appropriate use and development of adjacent uses or impair the value thereof. In addition to the foregoing, the location and size of a proposed use in a business or industrial district, the nature and intensity of the operations proposed and the site layout and its relation to access streets shall be considered by the Board to determine whether the vehicular traffic resulting from such use will be more hazardous than the normal traffic of this district, taking into account such factors as street intersections, traffic flow, sight distances and pedestrian traffic.
7. The conservation of property values and the encouragement of the most appropriate uses of land.
8. The availability of adequate and proper public or private facilities for the treatment, drainage, removal or discharge of sewage, refuse or other effluent, whether liquid, solid, gaseous or otherwise, that may be caused or created by or as a result of the use.
9. Whether the use will cause disturbing emission of electrical discharges, dust, light, vibration or noise.

### **Background**

#### **The Property**

The record in this matter indicates that the Property is located at 400 East Jericho Turnpike, Mineola and is listed on the Nassau County Land and Tax Map as Section 9, Block 601, Lot 18. The Property is located in the B-1 Zoning District at the northeast corner of the intersection of Jericho Turnpike and Jay Court. It contains 13,755 square feet of area (.32 acres) and has a frontage on Jericho Turnpike of 122 feet and a frontage on Jay Court of 106 feet.

The Property, formerly the site of a gasoline service station, is currently vacant. It contains areas of asphalt, some dirt and some gravel. Immediately east of the Property is an office building which is the benefitted party with respect to a vehicular easement across the proposed site. Access to the office building is from a curb cut on the north side of Jericho Turnpike at the very eastern border of the Village. No egress is permitted from that curb cut. All vehicles exiting from the office building property must pass across the proposed site. Jericho Turnpike, a very busy State highway, serves as the southern border of the Property. To the west is Jay Court, the entrance to the residential community located to the north of the Property. On the western side of Jay Court is a retail shopping center. North of the Property is a residential community.

#### **The Neighborhood**

The B-1 Business Zoning District begins at the adjacent office building and runs westerly along the north and south sides of Jericho Turnpike to the Village border at Herricks Road. The zone is basically a ribbon or strip through the center of the Village and generally extends north of Jericho Turnpike to a depth of one hundred (100') feet. There are a few properties which extend a greater distance, including the subject Property which extends to approximately one hundred six (106') feet on the west side and to approximately ninety three (93') feet on the east. In most of the Village, the business strip is bordered to the rear by residences. Such is the case here.

The residential community which borders the Property on the north is unique in the Village. It has only one entrance/exit along the entire stretch of

Jericho Turnpike and only one entrance/exit on Hillside Avenue to the north. It was stated that this residential community faced “challenges” in that it was “sandwiched between two State highways that carry about, probably on the order of 30- to 40,000 vehicles on a daily basis.” It is also bordered on a third side by the Northern State Parkway. Jay Court is the gateway to this community.

The shopping center located on the west side of Jay Court and which runs along Jericho Turnpike to the west has two entrances/exits on Jericho Turnpike west of Jay Court and has an entrance/exit on Jay Court.

#### **The Road System**

Jericho Turnpike is a major State-owned east-west artery which runs through the entire Village of Mineola and beyond. Westbound traffic moves at a high rate of speed through the Westbury-Old Westbury area. There is a traffic control signal at the Glen Cove Road intersection. Traffic passing through that intersection often operates at a high rate of speed and flows below the Northern State Parkway/Meadowbrook Parkway overpass approximately 300 feet west of the intersection. The previously mentioned adjacent office building is located just on the west side of the overpass and the Property follows immediately. Forward and lateral sight distance is impeded by the overpass. The Property comes up quickly to drivers in the northernmost lane.

Eastbound traffic moves along the southern side of Jericho Turnpike. South of the Property is a double-yellow line which separates eastbound and westbound traffic. There is no east-to-north turn lane parallel to the Property.

West of the Property is Jay Court which is traffic-controlled at Jericho Turnpike. Jay Court is the sole Jericho Turnpike entrance to and exit from the residential community north of the Property. An east-to-north Jericho Turnpike turn lane is located at the intersection.

#### **Site Logistics**

The proposed site plan identifies a 2,500 square foot convenience store building at the northwest corner of the Property. Ten (10) parking spaces are provided, three (3) on the eastern side of the Property and seven (7) on the southern side just west of the Jericho Turnpike entrance curb cut. A loading zone is provided as is a masonry trash enclosure. The egress lane from the adjacent office building is also identified.

Entrance to the property along Jericho Turnpike is through a channelized west-to-north curb cut and also through a curb cut on Jay Court north to east and south to east. Exit from the site for both the patrons of the convenience store and employees of and visitors to the adjacent office building is provided by that same curb cut on Jay Court (channelized west to south) and by the curb cut on Jericho Turnpike (channelized south to west).

#### **Discussion**

The principal threshold issues considered in the discussion by this Board concerning the instant application are related to vehicular traffic, interior circulation and parking.

#### **Traffic**

As stated above, Jericho Turnpike is a highly-traveled State highway upon which vehicles pass at a fast rate of speed both westbound and eastbound in the vicinity of the Property. Westbound vehicles approaching the property face a daunting task: they must safely slow their rates of speed in order to access a fast-approaching and difficultly-seen entrance on the eastern side of the property. Once they have accomplished that task, they must navigate an interior circulation lane which could easily be obstructed by a convenience store patron backing out of one of the parking spaces located on the east side of the Property. A vehicle exiting the southernmost parking space on the east side must back up into the entrance lane in order to access one of the exits from the site. This movement presents a dangerous condition to entering vehicles which could be forced to brake upon an entrance attempt, leaving them exposed to westbound traffic conflict.

With respect to eastbound travel, it is foreseeable that a customer could miss the east to north turn lane on Jericho Turnpike and Jay Court (or pass up the turn lane altogether if it is already stacked to capacity) and then attempt to cross oncoming westbound traffic lanes in order to access the Jericho Turnpike entrance. While a double yellow line might dissuade some drivers from making this movement, experience in the Village shows that many will take the risk.

The entrance into the Property from Jay Court also presents some risks. Vehicles traveling northbound on Jay Court have only a short distance within with to access the site by means of a right hand turn. Any congestion at the entrance (whether due to a vehicle backing up from the parking spaces located on the southwest corner of the property or due to an exiting delivery truck) could result in a serious safety issue. There is only room for the northbound stacking of two vehicles on Jay Court south of the curb cut and north of Jericho Turnpike. If more than that number of vehicles attempts to

access the site from Jericho Turnpike and encounters an entrance delay at the curb cut, exposure to collision risk would occur to vehicles which failed to clear Jericho Turnpike.

#### **Interior circulation**

The Property not only services the patrons of the proposed convenience store, but serves also as the sole means of egress for all vehicles connected to the neighboring office building to the east. As such, there is a greater vehicular impact on the interior circulation patterns of the Property than would be the case for a self-contained convenience store.

It is fair to assume that the majority of westbound patron vehicles would enter the site via the Jericho Turnpike curb cut (unless it was blocked due to congestion as mentioned above). Upon entering, in addition to having to face backing patron parking vehicles in the travel lane, an entering vehicle could potentially come into head-on conflict with another vehicle seeking to exit the office building lot.

Vehicles entering the site from Jay Court also face a potential gauntlet of oncoming traffic (entering from Jericho Turnpike, exiting on-site parking spaces or exiting the office building) and parked vehicles backing out of spaces and blocking their paths. Vehicles exiting at Jay Court's channelized curb cut must travel in a southerly direction. But there is limited vehicular stacking space on Jay Court between the exit point and Jericho Turnpike. Multi-vehicle stacking would result in retention of vehicles on the site awaiting a chance to join the stacking line and thus would contribute to dangerous interior congestion. The extremely limited (ten second) southbound green light time at the Jericho Turnpike intersection compounds this problem and may impede the full clearance of stacked southbound vehicles on Jay Court, thus further congesting the site.

The applicant has provided a twenty-five foot by fifteen foot loading zone at the site along the east side of the proposed building. The projected circulation patterns for deliveries present a few problems, however. Trucks traveling westbound will utilize the Jericho Turnpike curb cut, drive directly north into the loading zone space and utilize ground space at the rear of the truck for unloading of product. Entering trucks face the same hazard as other vehicles. That is, patron vehicles backing out of the eastern parking spaces will block ingress and potentially leave the delivery truck hanging out of the Property into Jericho Turnpike traffic in a stopped position. Eastbound trucks must enter via Jay Court. They face several difficulties in addition to those described above with reference to patron vehicles. If exiting vehicles occupy the exit lane from the Property awaiting the opportunity to travel southbound, the turning radius for the delivery truck may well be compromised, resulting in a congestion point at the exit. Operational space for unloading at the rear of delivery trucks further congests the site and might interfere with exiting traffic from the office building.

Although the applicant has represented that only box trucks will be utilized for deliveries, it is the experience of this Board that beer and soft drink deliveries to convenience stores and other retail establishments are accomplished by means of tractor trailer trucks. Any deliveries by vehicles of tractor trailer size would present a serious hazard at the site.

#### **Parking**

While the number of parking spaces at the site is in conformity with the Village's Zoning Law, the location of the spaces in reference to ingress and egress, delivery truck maneuvers and interior circulation challenge the Property. As is stated above, the spaces at each entrance point will be vacated by means of a backing maneuver directly into the path of vehicles entering the Property at both Jericho Turnpike and Jay Court. The Jericho Turnpike point of conflict is particularly dangerous.

The multiple directions of interior circulation, particularly factoring in the egress easement over the Property which runs in favor of the neighboring office building, present numerous vehicular conflict opportunities which are further exacerbated by delivery truck movements. It is not uncommon, for instance, for bread and milk deliveries to take place during peak traffic hours at the same time as landscaper trucks with equipment trailers are on site for coffee purchases by workers.

#### **Findings**

Based upon the testimony given at the public hearing, the documentary evidence submitted into the record and the local knowledge and experience of the members of this Board with respect to the Property and with respect to the operation of convenience stores in the Village ( including another 7-Eleven), the Board makes the following findings of fact:

1. The Jericho Turnpike entrance to the Property at its easterly end, when evaluated in connection with the parking stall arrangement along the eastern border, presents a dangerous traffic hazard to the patrons of the convenience store, to the occupants of and visitors to the neighboring office building

and to the public in general;

2. The Property's curb cut at Jay Court presents a serious logistical delay problem for exiting vehicles seeking to join a southbound stacking chain and results in the potential for dangerous interior circulation movements;
3. Any back-up of exiting vehicles from the Property at Jay Court will result in a dangerous situation for vehicles traveling east to north from Jericho Turnpike in that there is insufficient stacking capacity on the east side of Jay Court south of the curb cut;
4. Eastbound vehicles on Jericho Turnpike seeking to enter the site will by-pass the Jay Court east to north stacking lane and will perform a dangerous movement across oncoming westbound traffic lanes to enter the site at the Jericho Turnpike curb cut;
5. Both box trucks and tractor trailer trucks traveling eastbound will have a great difficulty entering the site at the Jay Court entrance due to site parking logistics, turn radii challenges and patron traffic, resulting in a dangerous condition; and
6. The plan for truck deliveries and product unloading at the rear of trucks is in conflict with parking movements as well as the egress rights of the neighboring office building.

#### **Decision**

Based upon the Findings listed above and the issues contained in the above Discussion, it is the decision of this Board that the instant application for a special permit to construct and maintain a convenience store at the Property is DENIED.

The approval of this application would not be in the best interest of the health, safety and welfare of the community.

The Board notes that the applicant has relied upon the Institute of Transportation Engineers Trip Generation Manual in order to project the expected volume of vehicular traffic into and out of the Property. However, this Board believes that a more accurate projection of trip generations could be made by an analysis of actual operational data relative to existing 7-Eleven stores, particularly with respect to the average number of sales which occur during a twenty-four hour period in stores of comparable size which are located in similar demographic areas. The applicant has chosen to withhold such transactional information, claiming that it "is proprietary and private to the company itself." Accordingly, this Board has made findings based upon its own experience in observing the operations of convenience stores in the Village and in neighboring municipalities, particularly with reference to 7-Eleven stores.

**IT IS THEREFORE RESOLVED**, that the special use permit is **DENIED**.

Inasmuch as the instant application has been denied on the basis of traffic and parking safety, this Board need not address additional issues relating to lighting, aesthetics, fencing, signage and the like.

Dated: Mineola, New York

March 14, 2012

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Paul S. Cusato

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

Trustee Lawrence A. Werther  
Trustee Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham  
Mayor Scott P. Strauss

**Mayor Scott P. Strauss requested a motion to close the Public Hearing at 7:35 PM.**

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee George R. Durham

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**Mayor Scott P. Strauss called the Work Session to order at 7:45 PM.**

**PRESENT:**

Mayor Scott P. Strauss

Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**ALSO PRESENT:** Village Attorney John Spellman  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Buildings Daniel B. Whalen

**Press Observers:** Rich Forestano, *Mineola American*  
Rich Tedesco, *Williston Times*

**Sunshine Observers:** Geoffrey Walter, *Patch.com*  
15 Observers

**Resolution No.62-12**

Resolved to approve bills and payroll.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Paul S. Cusato

**Vote:**

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 63-12**

Resolved to approve a request by the Meadow Drive School for the use of Wilson Park for their annual 4th grade picnic Wednesday June 6, 2012 (Raindate: Thursday June 7, 2012) from 10:00 AM – 1:30 PM.

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul A. Pereira

**Vote:**

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 64-12**

Resolved to approve a request of the Mineola Union Free School District for the use of the John S. DaVanzo Community Pool for its Special Education Summer Program from 11:15 AM to 12:15 PM on the following Monday's:

July 9, 2012	July 23, 2012	August 6, 2012
July 16, 2012	July 30, 2012	

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Paul A. Pereira

**Vote:**

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 65-12**

Resolved to approve a request by the Mineola Portuguese Center, Inc. for use of Wilson Field for its annual Carnival, Friday June 8, 2012 through Sunday June 10, 2012 and one soccer field Saturday June 9, 2012 through Sunday June 10, 2012.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee George R. Durham

**Vote:**

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		



Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**Resolution No. 66-12**

Resolved that the application of Polimeni International, LLC for the extension of a special permit to construct a residential apartment building known as The Winston which was approved by a Second Amended Decision of the Board of Trustees on October 12, 2011 is hereby granted. The validity of the special permit is extended to October 12, 2012.

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Paul A. Pereira

**Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 67-13**

Resolve to approve the replacement of Election Inspector Ms. Virginia Reginio 380 White Road, Mineola with Mr. Frank Iaquinto 31 Dow Avenue, Mineola for the March 20, 2012 Village Election.

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul A. Pereira

**Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee George R. Durham		

*Village Clerk Joseph R. Scalero presented a status report detailing the progress made on the development of the new Mineola website.*

**Mayor Scott R. Strauss requested a motion to close the Work Session at 7:55 PM**

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul S. Cusato

**Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		